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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

IN RE: §
TIMOTHY DWAYNE DAVIS § CAUSE NO. 24-90280
xxx-xx-3137 § (CHAPTER 13)
NACOLE SUZANNE DAVIS §
xxx-xx-4170 §
12060 us Highway 96 N §
Bronson, Texas 75930 §
DEBTORS §

**MOTION TO DISMISS JOINT DEBTOR, NACOLE SUZANNE DAVIS
FROM VOLUNTARY CHAPTER 13 CASE**

14-DAY NEGATIVE NOTICE – LBR 1017(b)

Your rights may be affected by the relief sought in this pleading. You should read this pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you oppose the relief sought by this pleading, you must file a written objection, explaining the factual and/or legal basis for opposing the relief.

No hearing will be conducted on this Motion unless a written objection is filed with the Clerk of the United States Bankruptcy Court and served upon the party filing this pleading WITHIN FOURTEEN (14) DAYS FROM THE DATE OF SERVICE shown in the certificate of service unless the Court shortens or extends the time for filing such objection. If no objection is timely served and filed, this pleading shall be deemed to be unopposed, and the Court may enter an order granting the relief sought. If an objection is filed and served in a timely manner, the Court will thereafter set a hearing with appropriate notice. If you fail to appear at the hearing, your objection may be stricken. The Court reserves the right to set a hearing on any matter.

The Debtors, **TIMOTHY DWAYNE DAVIS** and **NACOLE SUZANNE DAVIS**, by and through their attorneys of record, **MAIDA LAW FIRM, P.C.**, apply to dismiss joint Debtor, NACOLE SUZANNE DAVIS only from their Chapter 13 case for the reasons and upon the grounds shown below:

1. The Debtors filed a voluntary Chapter 13 petition on November 15, 2024.

TIMOTHY DWAYNE DAVIS desires to continue in the case.

2. The Debtors are divorcing and as such NACOLE SUZANNE DAVIS no longer desires to be in a bankruptcy proceeding.

3. NACOLE SUZANNE DAVIS is entitled to have herself dismissed from the case, and upon her request under the provisions of 11 U.S.C. § 1307(b).

WHEREFORE, Debtors pray that joint Debtor, NACOLE SUZANNE DAVIS, be dismissed from their joint proceeding without prejudice, and for such other and further relief to which they may be entitled.

DATED: March 18, 2025

Respectfully submitted,

MAIDA LAW FIRM, P.C.
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BY: /s/ Frank J. Maida
Frank J. Maida
State Bar No. 12845600

ATTORNEYS FOR DEBTORS

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Motion to Dismiss Voluntary Chapter 13 Case has been properly forwarded to all interested parties on the attached matrix by electronic mail or first class mail, on this the 18th day of March 2025.

/s/ Frank J. Maida

Frank J. Maida